

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENTER**

FEB 10 2005

In re Applicant:

Henry BourgeoisFiled: **November 17, 2003**Serial No. **10/714,746**For: **TIMBER PILE CONNECTOR**§
§
§
§
§
§
§
§
§
§
§Art Unit: **3351**Examiner: **Jong Suk Lee**Attorney Docket No.: **A317498.2US**LETTER OF EXPLANATION

Office of Patent Publication/Publishing Division
U.S. Patent and Trademark Office
Fax: 703-872-9306

Dear Sir:

Applicant acknowledges receipt of the Notice of Drawing Inconsistency With Specification issued January 10, 2005.

A phone conversation on January 25, 2005 with Examiner Jong Suk Lee provided an explanation that the drawings mentioned in the January 10 Notice did not belong to the above referenced application and had apparently been scanned into the IFW in error.

In a second phone conversation on February 10, 2005 with Examiner Lee, he confirmed that the drawings which were the subject of the January 10 Notice had been removed from the IFW of the above referenced application. Examiner Lee advised that a phone call to the Publishing Division would be appropriate and to advise them that the subject drawings had been removed and the Notice could be removed.

The Publishing Division advised that a letter of explanation should be prepared and faxed, along with a copy of the Notice, to the Publishing Division.

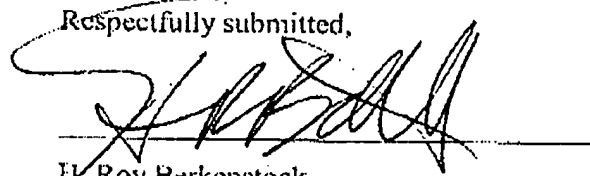
We therefore submit herewith a Letter of Explanation as requested.

10714.746

BEST AVAILABLE COPY

Accordingly, Applicant believes that the Application is now in suitable form for continued prosecution and acceptance of the issue fee.

Respectfully submitted,



H. Roy Berkenstock
Registration No. 24,719

Date: February 10, 2005

WYATT, TARRANT & COMBS, LLP
1715 Aaron Brenner Drive, Suite 800
Memphis, Tennessee 38120-4367

Telephone: (901) 537-1108
Facsimile: (901) 537-1010

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being submitted to Office of Patent Publication/Publishing Division, U.S. Patent and Trademark Office, via facsimile transmission to 703-872-9306 on February 10, 2005.



H. Roy Berkenstock
Registration No. 24,719

10714,746

**BEST AVAILABLE COPY****UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE**NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

The drawings filed 11/17/03 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures 7 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

Return Corrected Drawings/Specification to:

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Office of Patent Publication/Publishing Division

Customer Service: 703-308-6789
1-888-786-0101

FORM PTO-1631 (REV. 10-03)